THE HON'BLE SRI JUSTICE C.V. RAMULU

Monday, 5th day of February,2007

W.P.No.13376 of 1996

Between:-

K. Krishna ... Petitioner

and

Food Corporation of India,
represented by its Zonal Manager,
Zonal Office, 2 Haddows Road,
Madras-600 006 and others ... Respondents

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ORAL ORDER:

This Writ Petition is filed seeking a Certiorari to call for the records relating to the letter of 1st respondent in File No.E./11/30(1)/Misc.94, dated 17-5-1996 and to quash the same as arbitrary and illegal and consequently to direct respondents 1 to 3 to consider the case of the petitioner for appointment on compassionate grounds.

It appears, one Jagathulu working in the respondent-Food Corporation of India died in harness. Petitioner claiming as adopted son of Jagathulu filed a Writ Petition before this Court in W.P.No.7117 of 1996, which was disposed of on 4-4-1996 directing the respondents therein to consider the case of the petitioner along with the case of the daughter of the deceased and pass appropriate orders within two months from the date of receipt of a copy of the said order. In the meanwhile, it appears, the 4th respondent-Smt.Balamani also filed a Writ Petition in W.P.No.10841 of 1994, which culminated in Writ Appeal No.606 of 1995 and obtained orders from this Court for consideration of her case on compassionate grounds. Thereafter, the case of Balamani was considered and she was appointed by an Order dated 7-6-1996. The main grievance of the petitioner is that the impugned Order was passed in wilful disobedience of the Orders passed by this Court in Writ Petition No.7117 of 1996 and also flagrant violation of principles of natural justice.

It is the claim of the petitioner that he is only an adopted son of the deceased. No two persons could be appointed on compassionate grounds due to death of Jagathulu. The appointment of 4th respondent was made in pursuance of the directions of this Court. Therefore, it cannot be said that the respondent-Corporation has committed any error in rejecting the case of the petitioner for appointment on compassionate grounds. That apart, the Writ Petition was dismissed for default as against the 4th respondent by an Order dated 14-2-2003.

The Writ Petition is devoid of merits and is liable to be dismissed; accordingly, it is dismissed. No order as to costs.

05-2-2007

prk